

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION) MDL 2804
THIS DOCUMENT RELATES TO:)
NAS Baby Cases) Case No. 1:17-md-2804
) Judge Dan Aaron Polster
)
) SCHEDULING ORDER
)

Before the Court is Defendants' and the Plaintiffs' in the above-captioned cases ("NAS Plaintiffs") Second Amended Joint Proposed Scheduling Order. **Doc. #: 2726**. Pursuant to the Court's Orders of September 17, 2019 and October 1, 2019, NAS Plaintiffs and Defendants jointly submitted proposals with respect to the motion on NAS class certification. The Court hereby adopts the first, agreed-upon portion of the scheduling order and related case management provisions. Regarding the second, disputed portion, the Court adopts Defendants' Proposed Scheduling Order Provisions. Thus, the parties are hereby **ORDERED** as follows:

1. NAS Plaintiffs shall file their amended complaints in four of the cases to which this Order is applicable no later than October 8, 2019.¹ These complaints will be subject to no further amendment and will be the subject of the representative motions for class certification to be heard by the Court.
2. NAS Plaintiffs shall further disclose on October 14, 2019 the identities and area of expertise for any experts whom they intend to offer in support of class certification.
3. NAS Plaintiffs and Defendants dispute the propriety of additional written discovery of Defendants. Written discovery shall be served on defendants, if any, by October 15, 2019. If the parties cannot agree as to whether the served discovery is appropriate by October 25, 2019, NAS Plaintiffs shall file a motion to compel.

¹ NAS Plaintiffs' Motion of Extension of time, **Doc. #: 2718**, is **GRANTED**.

4. NAS Plaintiffs shall produce to defendants on October 21, 2019, signed fact sheets for all plaintiffs identified in the four amended complaints based on information in plaintiffs' possession. In order for a fact sheet to be complete it must be accompanied by all requested documentation in Plaintiffs' possession. If NAS Plaintiffs are not in possession of particular requested information or documents on October 21, they shall state whether they expect to receive such items in the future and when.
5. NAS Plaintiffs' expert reports shall be disclosed on or before December 1, 2019.
6. NAS Plaintiffs shall file their consolidated motion for class certification on January 7, 2020.
7. Plaintiffs shall make their experts available for deposition before January 31, 2020.
8. Defendants' expert reports shall be disclosed on or before February 21, 2020.
9. Defendants shall make their experts available for deposition before March 24, 2020.
10. Defendants' opposition to class certification shall be due on April 1, 2020.
11. Plaintiffs' reply shall be due on April 30, 2020.

For those documents that must be filed with the Court, the deadline for filing is 12:00 PM on the applicable due date as indicated above.

IT IS SO ORDERED.

/s/ Dan Aaron Polster October 7, 2019

**DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE**